COVAD™

July 18, 2002

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: BellSouth Corp. Alabama/Kentucky/Mississippi/North Carolina/South Carolina, WC
Docket No. 02-150

Dear Ms. Dortch:

On July 17, 2002, the undersigned, together with Jason Oxman, William Weber, and Colette Davis of Covad Communications Company, made an *ex parte* presentation to Commission staff in the above-referenced docket. Commission staff in attendance were Greg Cook, Aaron Goldberger, Daniel Shiman, William Kehoe, and Pam Slipakoff of the Wireline Competition Bureau; Steve Rangel, Heidi Kroll, and Denise Coca of the Wireless Telecommunications Bureau; Jay Whaley of the International Bureau and Hillary DeNigro of the Enforcement Bureau.

The presentation covered material already set out in Covad's written submissions in this docket. The only additional written material presented at the meeting was the attached document.

Respectfully submitted,

___/s/ Praveen Goyal_____

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<u>Continuing Concerns: BST AL/KY/MS/NC/SC 271 Applications</u>

1. Line Shared Loops: No Flow-Through Electronic Ordering, OSS Problems
- Manual processes are expensive and hinder the development of competition.
- All BST retail ordering processes are mechanized.
- KPMG Draft Final Report reveals the inherent problems with manual ordering (compare results in Test References TVV2-4-3 and TVV2-5-4).
- A BST OSS defects prevent flow-through and force Covad to resort to manual processes to get the information necessary to validate bill charges. BST refuses to fix the defect despite a Change Request (CR 621) submitted in January.
- A BST OSS Service Order defect results in Covad being billed for loops that have not been delivered.

2. UCL-ND Loop: No Electronic Ordering, No Demarcation Information, Pervasive Provisioning Problems
- Covad orders this loop for its SDSL service.
- Despite it claim to the Commission during the Ga/La 271 proceedings that this loop would be mechanized by July, 2002, to date not even partial mechanization has occurred. Electronic ordering is scheduled for implementation, but dates may slip.
- BST refuses to provide demarcation information on Quick Serve loops despite contract provision stating: "Where a technician is not dispatched by BST, BST will provide sufficient information to Covad to enable Covad to locate the Circuit being provisioned."
- BST is now refusing to allow Covad to implement work-arounds developed to obtain demarcation information.
- BST's own data shows that of 50 orders placed in January for this loop, it managed to properly provision only 77% of them. Covad data places its successful provisioning rate at only 24%.
- 9% of Covad orders cannot be turned up on dispatch, and 43% of loops experiencing problems have additional problems within 30 days.
- Provisioning problems have forced Covad to stop ordering the UCL-ND loop in all states except Florida.

3. Conditioned Loops: No Electronic Ordering
- BST orders loop conditioning electronically for itself.
- Mechanization of conditioned loops is not scheduled or expected.

4. Pervasive Loop Delivery/Maintenance Problems
- BellSouth does not deliver loops in accordance with IA provisions.
- Data produced by BST shows many areas of continuing discrimination in business-critical metrics such as provisioning intervals and loop quality.

5. Continuing Discrimination in Change Control Process
- Covad submitted CR 621 on January 18, 2002, seeking repair of a BST OSS defect that prevents bill validation without resort to a manual process.
- It took BST four months just to classify CR 621 as a defect, and it has yet to schedule a fix
- BST submitted CR 766 on May 3, 2002 to fix a similar defect in its Local Number Portability database; within a week it classified the defect and scheduled a fix

6. BST Plans to Close the TAG Pre-Order Gateway
- Covad uses this API interface for pre-ordering functions such as address validation and obtaining loop makeup information
- The CLEC community has prioritized the development of a pre-order function via BST's EDI gateway so that pre-ordering and ordering can be done using the same program platform.
- BST's plan to close the TAG Pre-Order Gateway before the EDI pre-order function is implemented will force CLECs to incur the expense of interface migration twice

For further information, please contact Praveen Goyal, Covad Senior Counsel, at 202-220-0422.

Loop Performance Comparison

(All data extracted from BellSouth's self-reported PMAP data for April, 2002)

State	BellSouth Performance for Covad	BellSouth Performance for Itself
Order Completion Interval: Unbundled Copper Loop — Non-Designed (UCL-ND)		
Alabama	6.00 days	4.05 days
Kentucky	10.33 days	4.70 days
North Carolina	5.09 days	4.00 days
% UCL-ND Loops experiencing trouble within 30 days (dispatch)		
Alabama	20.00%	10.54%
Kentucky	20.00%	9.48%
North Carolina	13.33%	9.52%
% Line Shared Loops experiencing trouble within 30 days (dispatch)		
Alabama	33.33%	3.86%
Kentucky	0.00%	0.00%
North Carolina	50.00%	1.81%
% Line Shared Loops experiencing trouble within 30 days (non-dispatch)		
Alabama	6.9%	1.37%
Kentucky	6.00%	No data reported.
North Carolina	18.18%	1.24%

Loop	BellSouth Performance for Covad	BellSouth Performance for Itself
Maintenance Average Duration (Alabama only)		
UCL-ND (non-dispatch)	24.00 hours	8.10 hours
Line Shared (dispatch)	70.00 hours	41.83 hours
Line Shared (non-dispatch)	12.00 hours	3.56 hours
Repeat Troubles in 30 Days (Kentucky only)		
ISDN (dispatch)	25.00%	15.38%
Line Shared (non-dispatch)	40.00%	26.59%